SBCivil Writ Petition No.6213/2003

Kishan Singh
V.
State of Rajasthan & Ors.

DATE OF ORDER :: 19th January, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. P.S.Rathore, for the petitioner.
Mr. Shyam Ladrecha, Additional Government Advocate.

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The petitioner is holding the post of Langri (Orderly) at Police Station Sojat City since 4.11.1996 at a consolidated salary. The grievance of the petitioner is that though he is discharging the duties exactly similar to the other Orderlies but the respondents have neither regularised him in Class-IV service nor have given the pay scale applicable for the post concerned. Hence, this petition for writ is preferred claiming equal pay for equal work and also for regularisation of service.

The respondents in their reply stated that the petitioner is working on part time basis, therefore, he is neither entitled for regularisation in service nor for the pay applicable to the post of Orderly. It is also stated in reply to the writ petition that at Police Station Sojat City the respondents also utilised services of other Langris and that proves that the petitioner was not working satisfactorily.

Heard counsel for the parties.

The petitioner is working at Police Station Sojat City since 1996 and the Langri is required to act as a Cook at a Police Station. A Langri, therefore, cannot be said to be working on part time basis. The fact with regard to engagement of other persons also not establishes that the petitioner was not working as Langri at Police Station Sojat City. Beside that, this Court in number of other cases including the cases of State of Rajasthan & Ors. v. Hindu Singh & Ors., SBCWP No.1794/2006, and Jai Ram v. State of Rajasthan & Ors., SBCWP No.4063/1998, held that Langris working at various police stations act similarly to the regular Orderlies and, therefore, they are entitled for regular pay scales.

Accordingly, this petition for writ is allowed. The respondents are directed to allow the minimum of regular pay scale pertaining to the post of Orderly to the petitioner with all other admissible allowances from the date of filing the present petition for writ i.e. 16.9.2003. The petitioner shall not be entitled for annual grade increments.

No order to costs.

( GOVIND MATHUR ),J.

kkm/ps.